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10/087,990

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Ron Rymon

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08/05/2008

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EXAMINER

HOANG, PHUONG N

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

08/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/087,990

Applicant(s)

RYMON, RON

Examiner

PHUONG N. HOANG

Art Unit

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-US)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 35 are pending for examination. This office action is in response to amendment filed on 2/11/08.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedent basis:

- i. said node – claim 27;

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 - 7, 10 - 12, 17 - 19, 27 - 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson, US patent no 6,144,959.

6. As to claim 27, Anderson teaches a computer device comprising:

a processor (figure 1 and associated text);

a first series of user definitions, each user in said definitions defined as a user node (col. 7 lines 60 - col. 8);

a second series of resource definitions, each resource in said definitions defined as a resource node (col. 3 lines 1 - 20; col.1, line 57- col. 2, line 3);

access data indicating access of users to respective resources (col. 7 lines 40 - 47);

a pattern recognition unit operable with said processor for automatically discovered pre-existing patterns in said access data (automation administrator task to create user account, and NetUserGetLocalGroups determines which group to add user in based on group information or group pattern, col. 3 lines 30 - 42 and claim 4, col. 8 lines 22 - col. 9 lines 42, said patterns indicative of a way of grouping said nodes so as to discover groups of nodes having common subsets of at least two resources group of resources that are assigned in common to a group of users (user can access to many systems and client workstation objects may include group memberships information

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....administrator program, col. 3 lines 1 – 55, col. 7 line 35 - col. 8, col. 12 lines 62 – col. 13 lines 47), and

a group definition unit operable with said processor and said pattern recognition unit for configured to each discovered pre-existing pattern to output groups so discovered as a role (col. 8 lines 61 – col. 9 lines 11).

7. **As to claim 29**, Anderson teaches pattern recognition apparatus for grouping nodes according to relationships with other nodes, the apparatus comprising:

an input for receiving nodes partitioned into a first set and a second set and with relationships between nodes in respective first and second sets defined by links across said partition (col. 8 lines 22 – 36);

a pattern recognition processor associated with said input, for using pattern recognition on said links to find relationship patterns within said links, and from said patterns to form at least one group from nodes of said first set, wherein said nodes being formed into said group share relationships with at least two nodes in said second set (col. 8 lines 22 – col. 9 lines 42).

8. **As to claim 30**, Anderson teaches group discovery method for automatically discovering groups according to an initially unknown structure in existing electronically held data, said electronically held data comprising nodes partitioned into first and second data sets, wherein links exist within said data between nodes in said first data

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set and nodes in said second data set, the initially unknown structure being within said links, the method comprising:

electronically searching said data (col. 8 lines 22 – col. 9 lines 42), and
grouping nodes in said first set according to respective links such that all nodes in said first set having links to at least two commonly held nodes in said second set are assigned to a same group, thereby discovering groups in said data according to said initially unknown structure (col. 3 lines 1 – 55, col. 8 lines 62 – col. 9 lines 10).

9. **As to claim 31**, Anderson teaches a method of automatically grouping users having links or attributes into one or more groups based on said links or attributes, the method comprising:

providing a group for users sharing all of a subset of at least two of said links or attributes (col. 8 lines 62 – col. 9 lines 7)

outputting said provided groups (col. 9 lines 5 – 10).

10. **As to claim 34**, this is the method claim of claim 30. See rejection for claim 30 above.

11. **As to claim 35**, this is the apparatus claim of claim 30. See rejection for claim 30 above.

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12. **As to claim 1**, this is the apparatus claims of claims 29, 30, and 31. See rejection for claims 29 - 31 above.

13. **As to claim 2**, Anderson teaches wherein said relationships are access permissions (col. 9 lines 45 – 50).

14. **As to claims 3 - 5**, Anderson teaches wherein of a network, said resources and said relationships are usage levels of respective resources by respective users (col. 7 lines 45 – 50).

15. **As to claim 6**, Anderson teaches wherein said nodes comprise entities having attributes, and said relationships represent a respective user possessing a respective attribute (col. 9 lines 35 – 40).

16. **As to claim 7**, Anderson teaches wherein said pattern recognition unit is associated with a search engine operable to use a search tree to begin with a single resource and its associated users, and iteratively to add resources and remove users not having a predefined relationship with said iteratively added resources, to meet a resource number, or a user number constraint (figure 3A and associated text, and col. lines 1 - 15).

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17. **As to claims 10 - 12**, Anderson teaches wherein said search engine is operable within said iterative stages to add further resources common to a current set of users (col. 1 lines 55 – 65).

18. **As to claims 17 - 19**, see rejection for claims 7, 10 and 12 above.

19. **As to claim 28**, Anderson teaches wherein said role comprises said users or said resources sharing only said subset (col. 8).

20. **As to claim 32**, see rejection for claim 7 above.

21. **As to claim 33**, Anderson teaches wherein said outputting said group comprises outputting a characteristic of said group (col. 9 lines 1 – 10).

22. **As to claim 25**, this is the method claim of claim 1. See rejection for claim 1 above.

23. **As to claim 26**, this is the hardware claim of claim 1. See rejection for claim 1 above.

Claim Rejections - 35 USC § 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US patent no 6,144,959 in view of Fisher, US Pub. No. 2002/0013847.

26. **As to claims 8 and 9**, Anderson does not explicitly teach using use a homogeneity measure to determine whether to consider a candidate grouping in said search.

Fisher teaches wherein said search engine is operable to use a homogeneity (homogenous network, resources, 0013, 0053) measure to determine whether to consider a candidate grouping in said search.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Anderson and Fisher's system because Fisher's homogeneity network containing specific IP address would be easier for administrator to control users and resources (0053).

27. **Claims 20 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US patent no 6,144,959 in view of Brown, US patent no. 5,941,947.**

28. **As to claim 20**, Anderson does not explicitly teach the step of wherein the input is associated with a graphical expositor which presents the input in a graph.

Brown teaches the steps of wherein the graphical expositor presents the input in a graph (acyclic graphs, col. 12 lines 51 – col. 13 line 38).

It would have been obvious to one of skill in the art at the time the invention was made to combine the teaching of Anderson and Brown's system because Brown's graph would provide the graph structure with partitioned groups on different levels for easy input to the tree structure of Anderson's system to control the network nodes partitions.

29. **As to claim 21**, Anderson teaches the user would manually interact using graphical to manually assign modify the groupings discovered by the pattern recognition engine (col. 2 lines 20 – 30).

30. **As to claims 22 - 23**, Brown teaches the steps of wherein the graphical expositor is further operable to partition the graph into sub-graphs (acyclic graphs, col. 12 lines 51 – col. 13 line 38), each of the sub-graphs itself being a mentioned graph having at least two partitions, sub-graphs being limited to it subset of the nodes in one of the partitions, and further comprising all the nodes in the other partition that are linked

thereto, and wherein the pattern recognition unit is further operable to perform groupings on each of the sub-graphs, and then to merge the results into a full graph.

31. **As to claim 24**, see rejection for claim 21 above.

Allowable Subject Matter

32. Claims 13 – 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

33. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONG N. HOANG whose telephone number is (571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng A. An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/
Supervisory Patent Examiner, Art Unit 2195

Ph
July 20, 2008